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COMPTEL

January 25, 2010

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: In the Matter of a National Broadband Plan, GN Docket No. 09-51

Dear Ms. Dortch:

COMPTEL has consistently advised the Commission that a critical element of its National Broadband Plan must be the recognition that the interconnection and traffic exchange obligations of incumbent local exchange carriers (ILECs) under sections 251/252 continue to apply, even as these carriers transition from a TDM-based architecture to IP.[1] This view was reinforced by a number of filings in response to the Commission's Public Notice # 25,[2] each emphasizing that existing law already compels interconnection in IP-form and that such interconnection will accelerate the transition from a circuit-switched PSTN to IP-networks.[3]

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[1] *See e.g.*, September 22, 2009 Letter from COMPTEL, Cbeyond, *et al*. to Marlene H. Dortch, Federal Communications Commission filed in GN Docket No. 09-51.

[2] FCC Public Notice, "Comment Sought on Transition from Circuit-Switched Network to All-IP Network," NBP Public Notice # 25, GN Docket Nos. 09-47, 09-51, and 09-137, DA 09-2517 (rel. Dec. 1, 2009).

[3] *See* Cablevision Systems Corp. Comments – NBP Public Notice 25, filed December. 22, 2009 in GN Docket Nos. 09-47, 09-51, 09-137 ("Cablevision Comments") at 1: "A regulatory regime that facilitates direct IP handoff of voice traffic between carriers will speed the myriad benefits of IP networks – in efficiency and innovation – to service providers and customers." *See also* Comments of PAETEC Holding Corp. in Response to NBP Public Notice 25, GN Docket Nos. 09-47, 09-51, and 09-137, Dec. 22, 2009, at 2: "[W]ith respect to what PAETEC believes is the most critical issue that will facilitate the evolution of carrier networks to IP architecture - that of interconnection and exchange of traffic on an IP to IP basis – there is no need for an NOI. Instead, the most important Commission action would be a confirmation that the obligation and regulatory structure under the federal Communications Act ("Act") in Section 251/252 already applies to IP-based infrastructure."

The Commission should affirm that there are no technical barriers to traffic exchange in IP format.[4] In fact, carriers interconnect and exchange traffic in IP form today. For instance, Cablevision reports that "[v]oice providers like Cablevision are already exchanging voice traffic through bilateral IP interconnection arrangements."[5] Small incumbent LECs have established IP traffic exchange arrangements among themselves to reduce cost and gain efficiency. VisionNet is a joint-venture owned by nine small local telephone companies in Montana that rely on a jointly-owned managed IP network to exchange and terminate traffic.[6]

Dominant carriers also interconnect in IP-format for traffic categories and services where they lack market power. For example, AT&T will interconnect in IP-format for domestic and international long distance calling.[7] Obviously, the technology itself does not care about the geographic label (i.e., local or long distance) on a call – the same capabilities used by AT&T to interconnect for the termination of "long distance" calls could be used to terminate "local" calls as well.

Moreover, various providers offer IP-based interconnection and traffic exchange platforms to facilitate the exchange of IP voice traffic,[8] including Sprint[9] and Stealth Communications.[10] NeuStar offers a service specifically designed to manage IP-level interconnection functions (such as policy management and ENUM-based directory services).[11]

To be sure, the level of traffic being exchanged in IP form today is relatively small. The volume of traffic between *any* two networks is fundamentally determined by the community-of-interest of each network's subscribers. As such, the largest traffic exchange partner for any local

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4 Section 251(c)(2) provides requesting carriers the right to interconnect with an ILEC's network at "any technically feasible point."

5 Cablevision Comments at 6.

6 *See* Presentation of Anthony Marcello, MetaSwitch, to OPASTCO 2009 Technical and Marketing Symposium, at 5-6. http://www.opastco.org/doclibrary/1918/Marcello.pdf. *See also* http://www.vision.net/about.php

7 *See* AT&T Voice Over IP Connect Service (AVOICS) available from AT&T Wholesale (description attached).

8 Carriers sometimes refer to interconnection of IP networks for voice-traffic exchange as "voice peering," borrowing the term from the Internet. Use of the term "peering" in this context is misleading, however, because IP-based voice interconnection arrangements involve *managed* IP networks using technologies (for instance, MLPS) precisely to avoid the best-efforts structure of the Internet.

9 *See* http://sprint.com/wholesale/partner_interexchange_network.shtml

10 *See* http://www.thevpf.com/about

11 *See* http://www.neustar.biz/services/ip-exchange-services

competitor will be the incumbent serving the same or nearby markets because each is serving the same underlying community-of-interest.[12] The defining importance of the underlying community-of-interest means that the most significant potential for IP traffic exchange will not occur between non-dominant providers with relatively small inter-network volumes (even though such carriers share the same economic incentive for efficiency), but between entrants and incumbents (where the share-imbalance provides the incumbent market power). It is because of the concern that an incumbent would use its share-advantage and resulting market dominance to disadvantage rivals that the Communications Act imposes the all-important, technology neutral interconnection and traffic exchange obligations of sections 251 and 252.

Respectfully submitted,

/s/

Mary C. Albert

[12] This basic property – that is, that traffic-exchange volume is a function of community-of-interest – is also true for smaller incumbent local telephone companies adjacent to a metropolitan area served by a larger incumbent carrier, such that the smaller ILEC's customers create call volumes into the metropolitan area larger than the call volumes in the opposite direction. As such, the interconnection-related concerns of smaller ILECs are likely to be similar to those of competitive carriers seeking interconnection with large incumbents.

AT&T VoIP Services

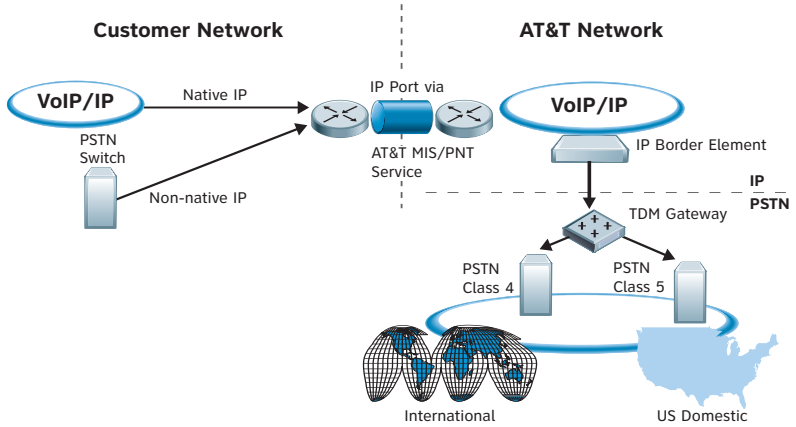
AT&T Voice Over IP Connect Service (AVOICS)

Your VoIP customers expect high quality voice services. With AT&T Voice Over IP Connect Service (AVOICS) you get unbranded and unbundled transport and termination of your domestic and international VoIP traffic with the reliability, security and performance you expect from AT&T. Give your VoIP service a competitive edge by also offering your end users access to unbranded Directory Assistance for the domestic U.S., Canada and Puerto Rico – a great value-added service available with AVOICS.

Your connection to AVOICS is via AT&T's Managed Internet Service (MIS)/Multiprotocol Label Switching – Private Network Transport (MPLS-PNT) service, which provides class-of-service voice quality, key security elements and advanced network reliability. Your service implementation is managed end-to-end by our highly experienced team of VoIP experts. Our multi-layer support structure is designed to provide you with industry-leading customer service every step of the way.

AVOICS accepts your U.S. originated domestic outbound (1+) calls and U.S. originated international outbound (011+) calls using Session Initiation Protocol (SIP) signaling. AVOICS also supports codecs G.711 and G.729 A/B. AVOICS provides long distance termination of "native" IP traffic, defined as traffic that originates as IP and is transported as IP from its point of origination to AT&T. AVOICS accepts U.S. originated domestic outbound (1+) calls and U.S. originated international outbound (011+) calls using Session Initiation Protocol (SIP) signaling. AVOICS also supports codecs G.711 and G.729 A/B. In addition, the AT&T network supports T.38 fax over IP.

AVOICS Connectivity



BENEFITS

- Expand your reach – AT&T's IP domain interoperates with the broader Public Switched Telephone Network (PSTN)
- Cost savings – Offer advanced voice services over your IP network
- Reliability – AT&T is one of the most dependable communication providers in the industry, offering 24/7 proactive network monitoring
- Security – AVOICS employs state-of-the-art security technologies and intrusion detection features

FEATURES

- Class-of-service voice quality
- Domestic and international terminations
- Supports SIP signaling
- Supports codecs G.711 and G.729 A/B
- AT&T network supports T.38 fax over IP
- Flexible options for receiving CDRs
- Proactive and reactive monitoring, 24/7
- Optional access to Directory Assistance

at&t

AVOICS also provides long distance termination of "non-native" IP traffic, defined as traffic that originates as TDM, undergoes a protocol conversion to IP in your network and is then transported as IP from your network to AT&T's.

AVOICS's rate structure is designed to help you better manage costs and accurately bill your end users. AVOICS service for domestic termination has an unbundled rate structure with separate rate elements for transport and terminating access. Connectivity facilities are billed under the applicable agreements for those facilities (e.g., MIS agreement). AVOICS service for international termination has a bundled rate structure for transport and termination and requires connectivity facilities in the same manner as for domestic termination.

On a daily basis, AT&T will collect, format, guide and rate minutes of use for your AVOICS service and create a file of Call Detail Records (CDRs). For your convenience, AT&T offers flexible options for receiving your CDRs, including an electronic interface.

AVOICS is monitored 24/7 by our highly experienced technical staff in AT&T's Global Customer Support Centers (GCSC).

The GCSC performs proactive and reactive monitoring to support problem determination, reporting and resolution. Our state-of-the-art network management systems are designed and maintained to keep your service running smoothly.

For more information contact your AT&T Representative or visit us at www.att.com/wholesale.

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